

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

Anonymous Surgeon,)	Civil Action No. 3:12-02822-MBS
)	
Plaintiff,)	
v.)	<u>ORDER AND OPINION</u>
)	
Matthew T. Seidhoff, M.D.,)	
)	
Defendant.)	
_____)	

This matter is before the court on a motion to remand pursuant to 28 U.S.C. § 1447 by Plaintiff Anonymous Surgeon (“Plaintiff”). (ECF No. 10.) Plaintiff initially filed this case in state court, alleging a claim for libel per se. (ECF No. 1-1.) Defendant Matthew T. Seidhoff, M.D. (“Defendant”), removed the case to federal court, asserting that complete diversity of citizenship existed between the parties and the damages sought by Plaintiff exceeded the jurisdictional amount of \$75,000.00. (ECF No. 1.) Plaintiff now moves to remand the matter back to state court, asserting that remand is appropriate because Plaintiff stipulates that the matter in controversy does not exceed the sum or value of \$75,000.00 as required by 28 U.S.C. § 1332(a) for diversity jurisdiction. (ECF No. 10.) In response, Defendant asserts that he does not oppose Plaintiff’s motion to remand since Plaintiff stipulates that the damages at issue do not exceed \$75,000.00. (ECF No. 11.)

Based on the foregoing stipulation by Plaintiff that damages in this matter do not exceed \$75,000.00 and the acceptance of Plaintiff’s stipulation by Defendant, the court hereby **GRANTS** Plaintiff’s motion to remand and this action is hereby remanded to the Court of Common Pleas of Richland County, South Carolina for further proceedings. (ECF No. 10.)

IT IS SO ORDERED.

/s/Margaret B. Seymour
MARGARET B. SEYMOUR
CHIEF UNITED STATES DISTRICT JUDGE

October 25, 2012
Columbia, South Carolina